IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : CRIMINAL NO. 11-577

VINCENT JOSEPH DEMSKY :

PARTIES' JOINT REQUESTED VOIR DIRE

The United States of America, by its attorneys, Zane David Memeger, United States Attorney for the Eastern District of Pennsylvania, and Ashley K. Lunkenheimer, Assistant United States Attorney for the district, and the defendant, Vincent Joseph Demsky, through his attorney, James A. Lammendola, Esquire, respectfully jointly request the Court to ask the following questions during the *voir dire* of the jury panel:

- 1. Do you know the defendant or do you, or any member of your immediate family, or any close friend, have any connection of any kind with him?
- 2. Has any lawyer in this case ever acted as your attorney, or as the attorney for any of your immediate family members or close friends, to your knowledge?
- 3. Among the individuals who may be called to testify by the government and by the defense are: **[read attached list]**. Do any of you know personally, or have dealings with, any of these people or their families?
- 4. Do any members of the jury panel know one another? If so, in what capacity? If you are both selected to be on the jury, would you be able to render a verdict without being influenced by the opinion of the person that you know? (Reworded Defendant's proposed Question No. 25).

- 5. This case relates to events occurring at the Boeing Company's Ridley Park, PA campus. Has anyone seen, heard or read anything about these events. Do you or any member of your family, or any close friend, have any connection to this campus or to the Boeing Company? One or more of the witnesses in this case have received, or may receive in the future, lesser sentences in exchange for cooperation with the government. Such "plea bargaining" is lawful and proper. Do any of you believe that the government should not offer reduced sentences in exchange for cooperation and testimony?
- 6. If I instruct you not to read anything about this case in the newspapers, if anything is in the papers concerning it, or listen to anything on the radio or T.V., will you follow that instruction. (**Defendant's Question No. 19**).
- 7. Do any of you have opinions about guilty plea agreements that would prevent you from being a fair and impartial juror in this case?
- 8. Does anyone have any objections to law enforcement officials legally taping conversations between government agents and suspected criminals?
- 9. Would you refuse to believe such a witness simply because he or she has been convicted of a federal offense?
- 10. Have you, or has any member of your family or close friend, used any drugs, been addicted to drugs, or been placed in a drug treatment program? If yes, please explain at sidebar.
- 11. Does anyone have any opinions, religious beliefs, philosophies, or prejudices which might make you unable to come to a fair and impartial verdict in this case? For example, do you believe that no person should ever be judged or convicted?

- 12. Would the religion, race, color, sex, or ethnic background of a witness influence whether you believe his or her testimony?
- 13. Have you had any training in law? If so, please describe. Are any members of your family, close friends, or work associates attorneys? If so, what type of law do they practice
- 14. Have you otherwise been involved in a criminal case as a witness or in some other capacity? If yes, please explain at sidebar.
- 15. If you or any member of your family, or any close friend, were the victim of a crime, was anyone arrested or prosecuted for the crime? Were you satisfied with the way the police, the lawyer, and the courts handled the case?
- 16. Have you ever had, or do you anticipate having, any claim or dispute with or against the United States government?
- 17. Do you have a problem with your hearing, your eyesight, or any other physical disability, which would in any manner prevent you from either hearing or seeing the evidence presented at trial?
- 18. Are you taking any medication that might interfere with your ability to concentrate, understand, consider, and weigh the evidence in this case?
- 19. Do you have any physical, emotional or psychological issues that would prevent you from sitting on a jury and rendering a fair and impartial verdict?
- 20. Do you have a sufficient understanding of the English language to allow you to read the exhibits introduced into evidence and to understand the testimony of the witnesses?

21. Is there any matter pending in your life, about which you are so concerned,

that it would prevent you from devoting your full, undivided attention to this trial? If yes, please

explain at sidebar.

22. Can you think of any other matter which you should call to the Court's

attention which might have some bearing on your qualifications as a juror, or which may prevent

your rendering a fair and impartial verdict based solely upon the evidence and my instructions on

the law? If yes, please explain at sidebar.

Respectfully submitted,

ZANE DAVID MEMEGER

United States Attorney

JAMES A. LAMMENDOLA, ESQ. Attorney for Vincent Joseph Demsky

ASHLEY K. LUNKENHEIMER Assistant United States Attorney

Date: March 13, 2012